

REMARKS and ARGUMENTS

This response is to the Office Letter mailed in the above-referenced case on May 18, 2007.

Claims 19- 36 are standing for examination. Claims 19-36 are rejected.

3.0 In response to Examiners Claim Rejections of claims 19, 30, 34, and 35 for non-compliance of 35 USC § 112:

3.1 Claims 19, 30, 31, 33, 34, 35 and 36 are amended to comply with 35 USC § 112 as requested.

5.0 Claims 19, 22-24, 27-28 and 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,213,061 to Hite et al.

5.1 Applicant agrees that Hite teaches an internet control system and method. However, applicant respectfully points out that the system of Hite, et al. is considerably more complex and expensive than the instant invention. Hite's system is not designed to interface with or control simple actuators, nor is it designed to sense simple sensors. All "devices" in Hite's system are internet enabled, greatly increasing the cost and complexity of simple "sprinklers". Hite does not teach a system capable of interacting with conventional appliances.

5.2 Please note the following citations from Hite defining the attributes of the various components in the "Internet Control System and Method" of U.S. 7,213,061.

§2L61

System 10 includes a **control network portal 12** coupled between the Internet 22 and one or more control area networks 30 and 31. Control area networks 30 and 31 are local area networks operating under transport protocols such as Ethernet, and AXLink and PhastLink of Panja, Inc. (Dallas, Tex.), the assignee of the present invention, that interconnect a variety of devices, appliances and/or equipment.

§4L38

Using **control network portal 12**, users may access **control area networks 30 and 31** via web browsers 23 and 24 accessing web pages provided by control network portal 12 or value-added web pages provided by content providers 25 and 26.

§5L17

It may be noted that **control network portal 12** may be implemented by a single stand-alone system that has sufficient memory and processing power or several separate systems with distinct functions as shown in FIG. 2.

§3L10

Control area network user interface device 35 is any device that is **capable of receiving user input and displaying or indicating control network status**. For example, a touch panel, a computer terminal with a monitor, keyboard and pointing device, and any device with similar functionalities may serve as control area network user interface 35.

§5L14

Control area network 30 is also coupled to user **interface devices 55** and **master controller 36**.

§3L22

Master controller 36 is generally a CPU-based controller that controls the communications among user interface 35 and Internet appliances 37-39. It is operable to receive user inputs received by user interface devices, such as commands, and instruct the appropriate Internet appliance to act according to the command. Master controller 36 may also poll each device in control area network 30 periodically to monitor its status.

§3L49

Master controller 36 is also operable to receive user input from nodes of the Internet 22 via control network portal 12. Connected to Internet 22 are content providers 25 and 26, which may also function as control area network user interface devices.

§5L23

The information content of the web pages may be dynamically obtained by communicating with IA server 14, which is operable to communicate with **master controller 36** via control network server 40 to obtain status and other information.

§6L36

Therefore, it appears that Internet applications like content providers on the web are able to

directly communicate with the **master controllers** of the control area networks to issue commands to devices in the control area networks.

§6L43

The **master controller** is able to issue commands to the Internet applications.

§3L32

Internet appliances 37-39 are devices that can **receive commands from master controller 36** and **operate or act according to the command**.

§3L42

Household appliances, such as a hot tub, fireplace, microwave oven, coffee maker, etc. may also **be Internet appliances coupled to the network**.

§9L15

Each control area network has one master 324 and a variety of control area network devices 326 which can include touch panels, audio/visual equipment, and the like. **Control area network devices 326** are equivalent to the **Internet appliances** described previously.

§9L45

In system 310, **devices 326** communicate with other **devices** on the same control area network 322 or **different control area networks 322**. **Devices 326** also receive messages generated outside the control area network 322 or generated by the master 324.

§4L38

Using control network portal 12, users may access control area networks 30 and 31 via web browsers 23 and 24 accessing web pages provided by control network portal 12 or value-added web pages provided by content providers 25 and 26.

§7L4-L52 & §8L1-L9 [Figure 6]

A user enters data on a user interface device coupled to a control area network, as shown in block 152. The user interface device may be a touch panel or a computer terminal with a monitor, keyboard and mouse, for example.

The user may enter an alphanumeric string, click on a button icon on the screen, push a button on the touch panel, or effect any other suitable input. The data entry may require the user to also submit the entered data, such as pushing a Submit or Enter button, as shown in block 154.

The user interface device then forms a control system message incorporating the entered data and the sender and recipient of the message, as shown in block 156.

The master controller then sends the message onto the control area network, as shown in block 158.

The sender and recipient are specified by a unique combination of system ID and device ID.

The recipient may be determined by the data entered by the user. For example, the user may have pushed a button associated with updating the web page of the content provider. The content provider is previously assigned a unique combination of system ID and a device ID.

The master controller on that network receives the message and processes the message, as shown in block 160.

An output channel state associated with the submit button of the user interface device is turned ON by the master controller to indicate that the data is being sent. The ON state of the output channel of the submit button is conveyed to the user interface, which may highlight the submit button or display a predetermined character string as a means of feedback to the user.

In block 164, the master controller then forwards the message to the protocol converter associated with the recipient software logical device in the IA server.

The protocol converter then translates the message from the sender protocol to the recipient protocol, as shown in block 166.

Note that protocol conversion is not necessary or is null if the sender protocol is the same as the recipient protocol.

In block 168, the translated message is then sent or otherwise conveyed to the software

logical device that represents the recipient convent provider.

The recipient software logical device receives the message and stores the message content in a data structure at a specific location specified by an index value, such as a number, which corresponds to the channel number of the recipient software logical device, as shown in block 170. The stored message is accessible by specifying the index number.

The software logical device then changes the state of an output channel of the same channel number to ON, as shown in block 172.

It may be noted that each device, whether physical or logical, may have one or more channels, each indicative of a specific function, parameter or property. Further, each channel may have an input and an output channel state.

§8L1-L9

The master controller recognizes a change in the input channel state of the software logical device representing the Internet application, as shown in block 186.

In response, the master controller turns OFF the output channel of the user interface device, which is used to notify the user that the requested action has been completed, as shown in block 188.

A change in the color or shade of the displayed button or the display of a predetermined

string may be used to inform the user, as shown in block 190. The process ends in block 192.

5.3 Certain key distinctions between the instant invention and Hite are enumerated below.

5.3.1 The instant invention requires only one component, the base station, to have internet access. No appliance can "communicate".

5.3.2 In Hite's system the devices or appliances, the control area network, the control portal and the master controller are internet enabled.

5.3.3 In Hite's system all components have individual communication capability,

5.3.4 In Hite's system all components interact and/or can be directed by "web pages".

5.3.5 Nowhere does Hite teach or suggest that his appliances respond to commands from a "control unit" with a "wiring interface portion".

5.3.6 No component of Hite's system receives instructions via an "RF communicating section".

5.4 The instant invention has no comparable structure or hierarchy to Hite's. "Control units" communicate only with the "base station", not among each other; the sensors are "sensed"

and the actuators are "actuated"; this is not communication. The base station displays information as communicated from a server based on data supplied by the base station to the server. Control units are not "devices" as found in the home per se; the server is not resident in the home or in communication with the control units except through the base station.

5.5 MPEP § 2131 provides:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention *must be shown in as complete detail as contained in the ... claim.*" *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *The elements must be arranged as required by the claim.*

6.0 Claims 29-33 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6, 826607 to Gelvin et al.

6.1 Please note in Gelvin §6 L43

The Wireless Integrated Network Sensor Next Generation (WINS NG) sensors and nodes provide distributed network and Internet access to sensors, controls, and processors that are deeply embedded in equipment, facilities, and the environment.

Wireless Integrated Network Sensors combine microsensor technology, low power signal processing, low power computation, and low power, low cost wireless (and/or wired)

networking capability in a compact system.

6.2 "Wireless Integrated Network Sensor Next Generation (WINS NG) sensors and nodes" are not part of the instant invention. No sensor or actuator of the instant invention is internet enabled - in any fashion. Someone practicing the Hite invention may make use of the Gelvin invention; however applicant does not practice Hite's invention.

7.0 Claims 20-21 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,213061 to Hite et al in view of U.S. Patent No. 6,192282 to Smith et al.

7.1 Please note in Smith, §1 L13:

2. FIELD OF THE INVENTION

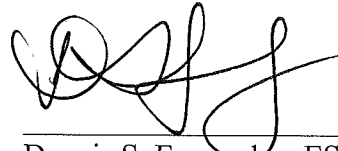
*The present invention relates in general to building automation systems, and in particular to **a software system that allows for control** of, and/or communication with, end devices and communication systems that utilize different command and communications protocols and languages.*

7.2 The instant invention does not make use of a *"software system that allows for control of, and/or communication with, end devices and communication systems that utilize different command and communications protocols and languages."*

8.0 Applicant respectfully points out that the prior art references relied upon by the Examiner as a §102 rejection does not contain every element recited in the claims in as complete detail as is contained in the claim and arranged as recited in the claim, the rejections are traversed as being improper.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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